

FILED

JUN 22 2015

**COUNTY CLERK
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // APRIL 13, 2015**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, APRIL 13, 2015 AT 10:00 A.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS' COURTROOM, 101 WEST MAIN STREET (2ND FLOOR), WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED TO WIT:

PRESENT WERE:

COUNTY JUDGE:

JUDGE CAROL BUSH

COMMISSIONERS:

DENNIS ROBINSON, COMMISSIONER, PCT. 1

LANE GRAYSON, COMMISSIONER, PCT. 2

PAUL PERRY, COMMISSIONER, PCT. 3

KYLE BUTLER, COMMISSIONER, PCT. 4

COUNTY CLERK:

TINA CHAMBER, ADMINISTRATIVE ASSISTANT

COUNTY & DISTRICT ATTORNEY'S OFFICE:

ANN MONTGOMERY-MORAN, ASSISTANT COUNTY ATTORNEY

VANCE HINDS, ASSISTANT COUNTY ATTORNEY

OPENING COURT:

THE COUNTY JUDGE CALLS MEETING TO ORDER, DECLARES QUORUM AND DECLARES NOTICES LEGALLY POSTED PURSUANT TO THE OPEN MEETINGS ACT

MOTION TO OPEN COURT BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER LANE GRAYSON

CONSENT AGENDA:

MINUTE ORDER NO 187.15 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 APPROVAL OF BUILDERS RISK INSURANCE FOR ELECTIONS BUILDING

FINANCIAL:

- F1 FROM 001-0010-40659 INSURANCE REIMBURSEMENT \$4,958.25 To 001-0010-50824 COLLISION REPAIR \$4,958.25 – JOHNNY BROWN, SHERIFF
- F2 FROM 001-0035-50805 CONFERENCE \$1,000.00 To 001-0035-50703 TELEPHONE \$1,000.00 – TERAL CRAWFORD, INFORMATION TECHNOLOGY
- F3 FROM 001-0050-50801 SUPPLIES \$1,000.00, 001-0050-50803 FURNITURE/FIXTURES \$450.00 To 001-0050-50843 4-H TRAVEL \$1,450.00 – MARK ARNOLD, EXTENSION OFFICE
- F4 FROM 001-0360-50601 DA-TRAVEL REIMBURSEMENT \$3,500.00, 001-0360-50833 DA-COURT REPORTER \$1,500.00, 001-0360-50808 DA-AUTO GAS \$1,000.00, 001-0360-50805 DA-CONFERENCE \$3,500.00 To 001-0360-50807 DA-GENERAL MISC \$3,500.00, 001-0360-50853 DA-LEGAL RESOURCES \$4,000.00, 001-0360-50846 DA-WITNESS FEE \$2,000.00 – PATRICK WILSON, COUNTY & DISTRICT ATTORNEY

- F5 FROM 001-0370-50804 POSTAGE/BOX RENT \$1,000.00 TO 001-0370-50601 TRAVEL REIMBURSEMENT \$1,000.00 – JOHN BRIDGES, TAX ASSESSOR/COLLECTOR
- F6 FROM 005-0703-30302 FUND BALANCE \$45,000.00 TO 005-0703-50911 GRAVEL \$45,000.00 – PAUL PERRY, COMMISSIONER, PCT. 3
- F7 FROM 004-0652-30301 RB2 FUND BALANCE CARRY OVER \$25,000.00 TO 004-0652-50802 RB2 PURCHASE OF EQUIPMENT \$25,000.00 – LANE GRAYSON, COMMISSIONER, PCT. 2
- F8 REFUND OF OVERPAYMENT TO THE FOLLOWING ACCOUNT FOR PAYMENT IN ERROR:

<u>REFUND TO BE ISSUED TO:</u>	<u>ACCOUNT</u>	<u>AMOUNT DUE</u>
CORELOGIC/PENNYMAC	166320	\$2,723.87
MICHAEL AND MARY MINTER	153000	\$6,314.07
CHASE ATTN: REFUND DEPARTMENT	228591	\$2,663.60
SHELLPOINT MORTGAGE SERVICES	147556	\$3,720.37

SIMPLIFIED PLAT:

SP1 MORGAN ROAD PLACE, 1 LOT, REQUESTED BY SATURNIO RAMIREZ, ROAD AND BRIDGE PCT. 3
 MOTION TO APPROVE CONSENT AGENDA BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

DEPARTMENT OF COUNTY DEVELOPMENT

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

MINUTE ORDER NO 188.15 GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES AS IT RELATES TO THE 150’ PER LOT OF ROAD FRONTAGE REQUIREMENT AT THE LOCATION OF 545 MCDANIEL ROAD, FERRIS, REQUESTED BY LISA STEWART, ROAD AND BRIDGE PCT. 1
 MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 189.15 APPROVING REPLAT- REEVES PLACE, 2 LOTS, 1460 NORTH HWY 77, ITALY, REQUESTED BY AMY REEVES, ROAD AND BRIDGE PCT 3
 MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 190.15 GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES AS IT RELATES TO THE 1000’ MINIMUM STREET SPACING OF PROPOSED ROADS AT THE LOCATION OF JOE WILSON AND MONTGOMERY ROADS, MIDLOTHIAN, REQUESTED BY JHDMC, LLC, ROAD AND BRIDGE PCT. 4
 MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 191.15 APPROVING PRELIMINARY PLAT – WILSONCROSSING, 93 LOTS, LOCATED AT JOE WILSON AND MONTGOMERY ROADS, MIDLOTHIAN, REQUESTED BY JHDMC, LLC, ROAD AND BRIDGE PCT. 4
RON COX ADDRESSING COMMISSIONERS’ COURT
 MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 192.15 GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES AS IT RELATES TO THE 150’ PER LOT OF ROAD FRONTAGE REQUIREMENT FOR PROPOSED SUBDIVISION JORDAN RUN

III, LOT 16, BLOCK B, LOCATED OFF OF NORRELL ROAD, MIDLOTHIAN, REQUESTED BY STEVE DONOSKY, ROAD AND BRIDGE PCT. 3

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 193.15 APPROVING FINAL PLAT- 27 LOTS, JORDAN RUN PHASE III, LOCATED OFF OF NORRELL ROAD, REQUESTED BY STEVE DONOSKY, ROAD AND BRIDGE PCT. 3

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 194.15 ACCEPTING THE INFRASTRUCTURE OF SPRINGER ESTATES INCLUDING STILL WATERS DRIVE, RIVER BEND COURT AND A PORTION OF BOIS D' ARC LANE, JHDMC, LLC, ROAD AND BRIDGE PCT. 4

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

PURCHASING

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

MINUTE ORDER NO 195.15 APPROVING COUNTY JUDGE TO SIGN THE ANNUAL INSPECTION AGREEMENT FROM ALPINE POWER SYSTEMS FOR THE FOUR (4) GENERATORS LOCATED AT 109 S. JACKSON ST., IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 196.15 AWARDING BID NUMBER RB-2015-005, ELLIS COUNTY CRUSHED LIMESTONE CHIP SEAL TYPE D, GRADE 5, 3/8" ROCK, CRUSHED LIMESTONE CHIP SEAL TYPE D, GRADE 4, 1/2" ROCK, CRUSHED LIMESTONE CHIP SEAL TYPE D, GRADE 3, 5/8"

MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 197.15 AWARDING BID NUMBER RB-2015-006, ELLIS COUNTY RECYCLED CONCRETE FLEX BASE, TYPE D, GRADE 1 AND 2, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE

MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BUTLER TO AWARD BID TO (1ST) CJ & SONS (2ND) BIG CITY CARRIES UNANIMOUSLY

MINUTE ORDER NO 198.15 AWARDING BID NUMBER RB-2015-007, ELLIS COUNTY WASHED PEA GRAVEL, TYPE A, GRADE 4 OR 5 TO TEXPRESS TRANSPORT, LLC IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 199.15 AWARDING BID NUMBER RB-2015-008, ELLIS COUNTY PIT RUN GRAVEL TO CENTRAL SAND AND GRAVEL, ALSO KNOWN AS MAMMOTH SAND & GRAVEL IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 200.15 AUTHORIZING THE PURCHASE OF A 2015 CHEVROLET TAHOE FROM CALDWELL COUNTRY AND ASSOCIATED VEHICLE EMERGENCY EQUIPMENT IN AN APPROXIMATE AMOUNT OF \$38,000.00 FOR THE OFFICE OF EMERGENCY MANAGEMENT, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER 201.15 AUTHORIZATIONS TO GO OUT FOR RFP IN COLLABORATION WITH WAXAHACHIE, RED OAK, AND ENNIS FOR AMBULANCE SERVICE PROVIDERS
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

ADMINISTRATIVE:

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

3.1 **INTRODUCTION OF THE NEW EMERGENCY MANAGEMENT COORDINATOR AND VETERANS SERVICES OFFICER**
– CAROL BUSH, COUNTY JUDGE

EMC – STEPHANIE PARKER
VETERANS – ELLSWORTH HULING IV

MINUTE ORDER NO 202.15 APPROVING PROCLAMATION DESIGNATING APRIL 19 – 25, 2015 AS VICTIM’S RIGHTS WEEK
–CAROL BUSH, COUNTY JUDGE

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 203.15 APPROVING TAX RESALE OFFER BY NEXTLOTS NOW, LLC FOR PROPERTY LOCATED AT 607 W. WACO ST., ENNIS, TX

MINUTE ORDER NO 204.15 APPROVING TAX RESALE OFFER BY NEXTLOTS NOW, LLC FOR PROPERTY LOCATED AT 1208 N. KAUFMAN ST., ENNIS, TX

MINUTE ORDER NO 205.15 APPROVING TAX RESALE OFFER BY MELISSA DREWS FOR PROPERTY LOCATED AT 209 AVENUE D, ENNIS, TX

MINUTE ORDER NO 206.15 APPROVING TAX RESALE OFFER BY NEXTLOTS NOW, LLC FOR PROPERTY LOCATED AT 1304 FAULKNER AVE., ENNIS, TX

MINUTE ORDER NO 207.15 APPROVING TAX RESALE OFFER BY NEXTLOTS NOW, LLC FOR PROPERTY LOCATED AT 1011 W. BROWN ST., ENNIS, TX

MINUTE ORDER NO 208.15 APPROVING TAX RESALE OFFER BY NEXTLOTS NOW, LLC FOR PROPERTY LOCATED AT S. HALL ST., ENNIS, TX

MINUTE ORDER NO 209.15 APPROVING TAX RESALE OFFER BY NEXTLOTS NOW, LLC FOR PROPERTY LOCATED AT FM 879, ENNIS, TX

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON *TO APPROVE MINUTE ORDER NO 203.15-209.15 (3.5 - 3.11)* CARRIES UNANIMOUSLY

3.12 **STATUS REPORT ON USE OF COMPENSATORY TIME.** – ANNE PRICE, DIRECTOR OF HUMAN RESOURCES

MINUTE ORDER NO 210.15 APPOINTING RON BROWN TO THE RURAL RAIL BOARD
(LANE GRAYSON, COMMISSIONER, PCT. 2)

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 211.15 CREATING ONE POSITION DESIGNATED AS AN ASSISTANT ATTORNEY IV AT A SALARY OF \$72,104 ANNUALLY. FOR THE 2014-2015 BUDGET, \$15,000 OF THE SALARY WILL BE PAID WITH ASSET FORFEITURE FUNDS
(PATRICK WILSON, COUNTY & DISTRICT ATTORNEY)

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 212.15 APPROVING OVERTIME PAYMENT EXCEPTION FOR THE ELECTIONS DEPARTMENT FOR ELECTION SERVICES FOR THE MAY 9, 2015 GENERAL AND SPECIAL ELECTIONS FOR THE FOLLOWING POLITICAL SUBDIVISIONS: CITY OF WAXAHACHIE/WAXAHACHIE ISD, CITY OF MIDLOTHIAN/MIDLOTHIAN ISD, CITY OF ENNIS/ENNIS ISD, CITY OF RED OAK, ESD #4
(BRUCE SHERBET, ELECTIONS ADMINISTRATOR)
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

No ACTION: 3.14 BURN BAN ORDER FOR ELLIS COUNTY. – JOE STEWART, FIRE MARSHAL

3.15 TRANSITION UPDATE OF EMC/FIRE MARSHAL'S OFFICE AND COUNTY INSPECTIONS STATUS. – JOE STEWART, FIRE MARSHAL

No ACTION: 3.17 STATUS UPDATE ON AMBULANCE RFP. – CAROL BUSH, COUNTY JUDGE

MINUTE ORDER NO 213.15 APPROVING INSTALLATION OF "NO TRUCK PARKING" SIGNS ON SUB COURTHOUSE PARKING LOT FOR JUSTICE OF THE PEACE, PCT. 2 (PAUL PERRY, COMMISSIONER, PCT. 2)
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 214.15 ENTERING INTO A CONTRACT WITH THE DEPARTMENT OF THE ARMY CORP OF ENGINEERS TO PROVIDE LAW ENFORCEMENT SERVICES TO THE LAKE BARDWELL PROJECT
(CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE)
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 215.15 APPROVING WORK ORDER UNDER INTERLOCAL AGREEMENT BETWEEN CITY OF WAXAHACHIE AND ELLIS COUNTY ROAD & BRIDGE #3; TO RESURFACE CITY'S PORTION OF LONE ELM ROAD
(PAUL PERRY, COMMISSIONER, PCT. 3)
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

RECESS TO CONVENE TO EXECUTIVE SESSION (11:02AM)
MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

EXECUTIVE SESSION

THE COMMISSIONERS COURT OF ELLIS COUNTY RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED IN THIS AGENDA, IN THE ORDER DEEMED APPROPRIATE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE 551, OR TO SEEK THE ADVICE OF ITS ATTORNEY AND/OR OTHER ATTORNEYS REPRESENTING ELLIS COUNTY ON ANY MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE COMMISSIONERS COURT UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH TEXAS GOVERNMENT CODE CHAPTER 551 OR AS OTHERWISE MAY BE PERMITTED UNDER 551.

- 4.1 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF THE PURCHASING AGENT.
- 4.2 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF THE FIRE MARSHAL.

ADJOURN EXECUTIVE SESSION AND RECONVENE TO REGULAR SESSION (11:48AM)

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

ADJOURNMENT (11:49AM)

MOTION TO ADJOURN BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF APRIL 13, 2015 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE



DENNIS ROBINSON, COMMISSIONER, PCT 1



LANE GRAYSON, COMMISSIONER, PCT 2



PAUL PERRY, COMMISSIONER, PCT 3

Absent

KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 22ND DAY OF JUNE, 2015:



CINDY POLLEY, COUNTY CLERK